



7020-02

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1139]

### **Certain Electronic Nicotine Delivery Systems and Components Thereof; Commission Decision Not to Review an Initial Determination Granting a Joint, Unopposed Motion to Amend the Amended Complaint and Notice of Investigation**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 26) of the administrative law judge (“ALJ”) granting a joint, unopposed motion to amend the amended complaint and notice of investigation (“NOI”).

**FOR FURTHER INFORMATION CONTACT:** Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On December 13, 2018, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Juul Labs, Inc. of San Francisco, California

(“Complainant”). *See* 83 FR 64156-57 (Dec. 13, 2018). The complaint, as amended and supplemented, alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic nicotine delivery systems and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,070,669; 10,076,139; 10,045,568; 10,058,130; and 10,104,915. *See id.* The NOI names numerous respondents, including Ziip Lab Co., Ltd. of Shenzhen City, China (“Respondent”). *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

On May 9, 2019, Complainant and Respondent filed a joint motion (“Motion”) to amend the amended complaint and NOI to correct the name of Respondent from its alias “Ziip Lab Co., Ltd.” to its legal name “SS Group Holdings.” OUII and certain respondents indicated that they do not oppose the Motion while other respondents indicated that they take no position with respect to the Motion.

On May 21, 2019, the ALJ issued the subject ID (Order No. 26) granting the Motion. The ID finds that, under Commission Rule 210.14(b), 19 CFR 210.14(b), “good cause exists to amend the amended complaint and notice of investigation to conform to the correct information.” *See* ID at 2. In addition, the ID finds that “this amendment would not prejudice the public interest or the rights of the parties to the investigation.” *See id.*

No petition for review of the subject ID was filed. The Commission has determined not to review the ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 14, 2019.

Lisa Barton,  
Secretary to the Commission.

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